

CHAPTER 76

DOMESTIC ABUSE ASSAULT — CONSIDERATION OF PRIOR OFFENSES

H.F. 112

AN ACT relating to criminal charges for domestic abuse assault.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. [Section 708.2A, subsection 6](#), Code 2023, is amended to read as follows:

~~6. a. A conviction for, deferred judgment for, or plea of guilty to, a violation of [this section](#) which occurred more than twelve years prior to the date of the violation charged shall not be considered in determining that the violation charged is a second or subsequent offense.~~

~~b. a.~~ For the purpose of determining if a violation charged is a second or subsequent offense, deferred judgments issued pursuant to [section 907.3](#) for violations of [section 708.2](#) or [this section](#), which were issued on domestic abuse assaults, and convictions or the equivalent of deferred judgments for violations in any other states under statutes substantially corresponding to [this section](#) shall be counted as previous offenses. The courts shall judicially notice the statutes of other states which define offenses substantially equivalent to the offenses defined in [this section](#) and can therefore be considered corresponding statutes. Each previous violation on which conviction or deferral of judgment was entered prior to the date of the offense charged shall be considered and counted as a separate previous offense.

~~e. b.~~ An offense shall be considered a prior offense regardless of whether it was committed upon the same victim.

Approved May 11, 2023